

Gas filled balloons on Council managed land

Policy, procedure, protocol	Policy
Document version	V1.0
Date adopted by Council	25 February 2020
Minute number	6c.20.008
File reference number	2491315
Due for review	February 2022
Documents superseded	
Related documents	Market Policy, Sports Management Policy, Commercial Recreational Activities on Public Land Policy, Event Bookings through 'Bookable' Terms and Conditions, Cemeteries Terms and Conditions, Caravan Parks Terms and Conditions
Author	Ken Wilson
Section / Department	Open Spaces & Facilities
Linkage to Our Community Plan	4 Environment
Objective	4.1 We will preserve and enhance our natural environment
Strategy	4.1.1 Manage our coastal zone, waterways, catchments and floodplains in an ecologically sustainable manner

1. Purpose

This policy establishes Clarence Valley Council's position to prohibit the use, release, sale or distribution of gas filled (helium) balloons from facilities and land under the care, control and or management of Council. It seeks the support of members of the community utilising Council facilities to use alternative products other than gas filled (helium) balloons with the aim to minimise potential adverse impacts of gas filled (helium) balloons on the environment.

2. Definitions

'Bookable' refers to Council's online booking system for hiring Council managed facilities and land for events and activities.

'Council' refers to the Clarence Valley Council.

'Council Facilities and Land' refers to any land under the care, control and or management of Clarence Valley Council. This may include parks, reserves, beaches, caravan parks, cemeteries, sporting fields, show grounds, footpaths, roads and car parks. This includes facilities and/or land that may be managed under licence, lease or other like agreement.

'Gas filled balloons' refers to any rubber, latex, foil or similar container filled with gas (helium) to make it rise in the air.

3. Background/Legislative requirements

A 2016 CSIRO study identified gas filled (helium) balloons among the top three most harmful pollutants threatening marine wildlife, along with plastic bags and bottles.

Any released gas filled balloons, at best, becomes litter, at worst they may enter our bushland areas, stormwater networks, rivers and oceans where they can be ingested, strangle or entrap animals.

Alternatives to gas filled (helium) balloons

There are many examples of alternatives to gas filled (helium) balloons including: flags, banners, streamers and dancing inflatables, bunting, lighting of candles and luminaries, battery operated bubble blowing machines and plants or gifts in remembrance.

NSW Legislation

The Protection of the Environment Operations Act (POEO) 1997 makes it illegal to release more than 20 gas filled balloons. The release of any type of gas filled balloons would also be considered a littering offence under the POEO Act. This ruling comes under the Protection of the Environment Operations Act 1997- Amendment (Balloons) Act 2000.

4. Policy statement

Council acknowledges that the release and use of gas filled (helium) balloons can have a significant impact on litter and on our marine and coastal wildlife. This Policy prohibits the use, release, sale or distribution of gas filled (helium) balloons from facilities and land under the care, control and or management of Council.

5. Scope

This policy applies to any event or activity, use of facilities or use of land under the care, control and or management of Council. The policy does not apply to the release of gas filled balloons for scientific purposes.

6. Procedures

Events on Council managed land, where an approval is required, will include conditions prohibiting the use, release, sale and distribution of gas filled balloons. This will include:

- Council's Market Policy to be amended prohibiting the use, release, sale or distribution of gas filled balloons at all Markets on Council managed facilities and land.
- Council's Sports Management Policy and Booking Terms and Conditions (Bookable) for the hire of sporting fields, parks, reserves, halls and showgrounds to be amended prohibiting the use, release, sale or distribution of gas filled balloons.
- Council's Commercial recreational activities on public land policy to be amended prohibiting the use, release, sale or distribution of gas filled balloons associated with commercial recreational activities on Council managed facilities and land.
- Development consents for any functions or events on Council managed facilities and land, to include a condition prohibiting the use, release, sale or distribution of gas filled balloons.
- Terms and Conditions for Council managed cemeteries to include provisions prohibiting the use, release, sale or distribution of gas filled balloons at all burials, internments and other like ceremonies at Council managed cemeteries.
- Future leases of Council facilities to include provisions prohibiting the use, release, sale or distribution of gas filled balloons generally at all Council leased facilities.

An on-going community education program will inform residents and visitors of the harmful environmental impacts of gas filled balloons on the environment.

7. Enforcement

Primary enforcement will be the responsibility of event organisers as detailed in terms and conditions of approvals and conditions of hire. Failure to comply would be considered with any future applications and may result in further conditions including bonds.

Council's compliance officers will enforce the policy from existing resources.